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Birch, Stewart, Kolasch & Birch, LLP

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To: Examiner Psitos - Group 2653 **From:** Esther H. Chong
Fax: (703) 872-9306 **Date:** July 13, 2004
Phone: (703) 308-1598 **Pages:** 4 (including cover sheet)
Your Ref.: **Our Ref.:** 3449-0132P
Re: US Appln. No. 09/664,360 **CC:**

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

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Comments:**Request for New Office Action**

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VIA FACSIMILE (703) 872-9306

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PATENT
3449-0132P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:	Jin-Tae ROH	Conf.:	3954
Appl. No.:	09/664,360	Group:	2653 ✓
Filed:	September 18, 2000	Examiner:	A. PSITOS
For:	OPTIMAL RECORDING METHOD FOR OPTICAL RECORDING MEDIA AND OPTICAL RECORDING MEDIUM STORED WITH INFORMATION ABOUT OPTIMUM RECORDING CONDITIONS		

REQUEST FOR NEW OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

July 13, 2004

Sir:

Further to the telephone conversation with Examiner Psitos on July 13, 2004, Applicant respectfully requests issuance of a new Office Action that replaces the Office Action mailed on June 16, 2004.

In connection with the above-identified application, Applicant filed a Preliminary Amendment on June 10, 2004. A stamped copy of the June 10, 2004 postcard is attached herewith as the proof of this filing. However, on June 16, 2004 the Examiner issued the Office Action without consideration of the June 10, 2004 Preliminary Amendment. Therefore, Applicant respectfully requests issuance of a new Office Action taking fully into consideration the Preliminary Amendment filed on June 10, 2004.

U.S. Appln. No. 09/664,360
Attorney Docket No. 3449-0132P
Page 2

Should there be any outstanding matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong (Registration No. 40,953) at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASH & BIRCH, LLP

By Esther H. Chong #40,953
for James T. Eller, Jr. #39,538

P.O. Box 747
Falls Church, VA 22032-0747
(703) 205-8000

JTE/EHC:lmh

Papers Filed herewith on: 6-10-04
 DOCKET NO: 3449-132P ATTY: JTIE
 APPLICANT(S): Jin-Tae KIM
 APPLN. NO. 09/1641360 FILED: 8-18-00
 PAT NO: _____

New Application with Transmittal Letter
 Utility Design CIP PCT Provisional
 Filing Under 37 CFR 1.53(b) CONT DIV
 Filing Under 37 CFR 1.114(RCE)
 Specification Consisting of: _____ pages
 Combined Declaration & Power of Attorney
 Assignment / Cover Letter
 Letter to Official Draftsman
 Drawings _____ Sheets Formal Informal Red-Link
 Completion of Filing Requirements, PCT/DO/EO/905
 or Formalities Letter and Executed Declaration
 Priority Document(s) / Cover Letter, No. Doc. _____
 Amendment: Preliminary
 Transm Ltr Large Entity Small Entity
 Response _____
 Information Disc1 Stmt. PTO-1449(6) _____ doc(s)
 PTO/ISA/210
 Notice of Appeal Appeal Brief
 Issue Fee Transmittal Sequence Listing
 FEES: 7,230.00 CKE903D14531
 Letter: _____
 Other: _____

Receipt is hereby acknowledged of the papers indicated in connection with the above identified case
 COMMISSIONER OF PATENTS AND TRADEMARKS

Due Date: ASAP
 Handcarry: _____

